



PRESS RELEASE

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Four Men Indicted in Sierra Vista Rollover Collision Where Five Died

PHOENIX -- The U.S. Attorney's Office for the District of Arizona announced that on December 8, a federal grand jury at Tucson, returned a sixteen (16) count indictment against Jose Luis Zepeda-Cruz, (DOB 9/29/80), of Mexico, Carlos Cortez (DOB 6/27/75), of Mexico, Wilbert Garcia (DOB 4/24/84), of Honduras, and Jimir Valle Martinez (DOB. 6/21/83), of Honduras. The indictment charges that on or about October 16, 2004, at or near Sierra Vista, in the District of Arizona, the defendants conspired to bring in and transport 34 illegal aliens, including Concepcion Sanchez-Dominguez, Erasmo Cruz-Reyes, Jose Ricardo Ballesteros-Mendoza, Laurencio Vega-Rita, Maria Del Pilar Hernandez-Espinoza, Mauro Guadalupe Macedas-Hernandez, and Eric Sanchez-Dominguez, into the United States for the purpose of commercial advantage and private financial gain.

At approximately 10:30 AM, a Cochise County Sheriff's Deputy encountered a white Ford F-350 pick-up truck as it exited a remote desert region South of Sierra Vista, Arizona. The Ford F-350 proceeded northbound on Arizona State Route 92 towards Sierra Vista. The Sheriff's deputy initiated a mobile surveillance of the Ford F-350, requesting the license plate information from dispatch. The Ford F-350 came back as reported stolen. A traffic stop was subsequently attempted on the pickup truck; however, the driver refused to yield to the sheriff's lights and sirens. As a result of the driver's failure to yield, a multi-agency pursuit was initiated. The Ford

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F-350 continued northbound on Arizona State Route 92, reaching speeds well in excess of the posted speed limit.

The Ford F-350 turned westbound onto Buffalo Soldier Trail in Sierra Vista. The Ford F-350 continued northbound on Buffalo Soldier Trail Road and arrived at the intersection of Arizona State Route 90 and Buffalo Soldier Trail Road. Law enforcement officers deployed tire deflation devices. As the Ford F-350 proceeded through the intersection of State Route 90 and Buffalo Soldier Trail Road at a high rate of speed, the driver lost control of the Ford F-350 and traveled into oncoming traffic, resulting in a multi-car collision.

Seventeen people were in the Ford F-350, including 11 in the bed of the pick-up truck. As a result of the collision, everyone in the bed of the pick-up truck was ejected and five people, Maria Del Pilar Hernandez-Espinoza, Mauro Guadalupe Macedas-Hernandez, and Eric Sanchez-Dominguez, and United States Citizens James Lee, and Emilia Guthrie Lee, all citizens of Mexico, were pronounced dead on the scene. Other individuals received medical attention on the scene and were transported to medical facilities throughout Arizona via helicopter and ambulance. As a result of the collision, occupants, personal effects, and miscellaneous debris were strewn throughout a quarter-mile area along Buffalo Soldier Trail Road and Arizona State Route 90.

Jose Luis Zepeda-Cruz and Wilbert Garcia have been charged with guiding the group of approximately 34 illegal aliens from the Republic of Mexico into the United States. Carlos Cortez has been charged as the co-pilot of the Ford F-350 pick-up truck, and Jimir Valle Martinez has been charged as driver of the Ford F-350 carrying the illegal aliens involved in the collision.

The federal indictment charges Jose Luis Zepeda-Cruz with violating Title 8 United States Code, Sections 1324(a)(1)(A)(i), 1324(a)(1)(A)(i), 1324(a)(1)(A)(v)(I), 1324(a)(1)(B)(i), 1324(a)(2)(B)(ii), 1324(a)(2)(B)(iii), Conspiracy to Bring in Illegal Aliens for profit, Conspiracy to Transport Illegal Aliens for Profit, and Bringing in Illegal Aliens for profit. Carlos Cortez is charged with violating Title 8 United States Code, Sections 1324(a)(1)(A)(i), 1324(a)(1)(A)(i), 1324(a)(1)(A)(v)(I), 1324(a)(1)(B)(i), 1324(a)(1)(B)(iii), and 1324(a)(1)(B)(iv), Conspiracy to Bring in Illegal Aliens for profit, Conspiracy to Transport Illegal Aliens for Profit, and Transporting Illegal Aliens resulting in death. Wilbert Garcia is charged with violating Title 8 United States Code, Sections 1324(a)(1)(A)(i), 1324(a)(1)(A)(i), 1324(a)(1)(A)(v)(I), 1324(a)(1)(B)(i), 1324(a)(2)(B)(ii), 1324(a)(2)(B)(iii), Conspiracy to Bring in Illegal Aliens for profit, Conspiracy to Transport Illegal

Aliens for Profit, and Bringing in Illegal Aliens for profit. Jimir Valle Martinez is charged with violating Title 8 United States Code, Sections 1324(a)(1)(A)(i), 1324(a)(1)(A)(i), 1324(a)(1)(A)(v)(I), 1324(a)(1)(B)(i), 1324(a)(1)(B)(iii), and 1324(a)(1)(B)(iv), Conspiracy to Bring in Illegal Aliens for profit, Conspiracy to Transport Illegal Aliens for Profit, and Transporting Illegal Aliens resulting in death.

A conviction for Conspiracy to Bring In Illegal Aliens for profit carries a maximum penalty of 20 years, a \$ 250,000 fine or both. A conviction for Conspiracy to Transport Illegal Aliens for profit carries a maximum penalty of 20 years, a \$ 250,000 fine or both. A conviction for Bringing In Illegal Aliens for profit carries a maximum penalty of 20 years and a mandatory minimum sentence of three years, a \$ 250,000 fine or both. A conviction for Transporting Illegal Aliens for profit carries a maximum penalty of 20 years and a mandatory minimum sentence of three years, a \$ 250,000 fine or both. A conviction for Transporting Illegal Aliens resulting in death carries a maximum penalty of death or life in prison, a \$ 250,000 fine or both.

An indictment is simply the method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

The joint investigation preceding the indictment was conducted by agents from the Bureau of Immigration and Customs Enforcement, Douglas office, and officers of the Arizona Department of Public Safety, Sierra Vista office.

“This case again shows the complete disregard human smugglers have for the welfare of the migrants they’re purporting to help,” said Kent Johansson, deputy special agent-in-charge of investigations for U.S. Immigration and Customs Enforcement (ICE) in Tucson. “ICE will continue to work with its state and federal law enforcement partners to see that the criminals behind this reprehensible enterprise are punished to the fullest extent of the law.”

The prosecution is being handled by Jeffrey H. Jacobson, Assistant U.S. Attorney, and Lisa A. Compagno, Assistant United States Attorney, District of Arizona, Tucson.

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